

**From:** FRISCOdANC@aol.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/24/02 9:33pm  
**Subject:** Re: Microsoft Settlement

Dear Sir/Madam/Judge:

I have been told that this e-mail address is for comments regarding the Microsoft settlement. It is my understanding that this e-mail will be read by attorneys at the Department of Justice and the federal judge presiding over this case. I hope that you read this with an open mind.

As graduates of law school, each one of you reading this message must understand something about achievement. It was not "luck" or "happenstance" or any such thing that made you an assistant US Attorney or a Federal Judge. You have been rewarded with these prestigious positions as a result of your hard work.

As such, you must know the grave injustice of punishing achievement rather than rewarding it. Imagine if upon receiving the highest grades in your law school class, you were not rewarded with law review honors but instead were kicked out of school. Yet this is how it is proposed that we treat Microsoft.

Even if you did not share your notes with others in the class, even if you did not take the time to explain to those who did not understand concepts that were self-evident to you, in the end you did not achieve your law school grades at anyone's expense. You earned them. The same holds true for Microsoft. It earned its profits.

Please do not punish Microsoft. To the extent that the law was violated, it is the law that is wrong, not Microsoft. Who among us would not have voted the other way in the Dred Scot case, notwithstanding the fact that at the time there was ample precedent regarding the legality of slavery to support the opinion? Please do not make the same mistake again; please do not punish Microsoft.

Very truly yours,

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